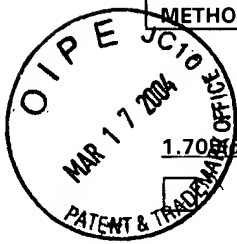


image

DTA-3/18

TRANSMITTAL LETTER			Case No. 659/1605 (15,993)
Serial No. 09/595,672	Filing Date June 19, 2000	Examiner Reddick	Group Art Unit 1713
Inventor(s) James H. Wang et al.			
Title of Invention METHOD OF MAKING BLENDS OF POLY(VINYL ALCOHOL) AND POLY(ETHYLENE OXIDE)			



TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is a (1) Request for Reconsideration of the Patent Term Adjustment Under 37 C.F.R. § 1.709(a) (in duplicate); (2) check for \$200.

- ☐ Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.
- ☐ Applicant claims small entity status. See 37 CFR 1.27.
- ☐ Petition for a _____ month extension of time.
- ☐ No additional fee is required.
- ☐ The fee has been calculated as shown below:

					Small Entity		or	Other Than Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee		Rate	Add'l Fee
Total		Minus			x \$9 =			x \$18 =	
Indep.		Minus			x 43 =			x \$86 =	
First Presentation of Multiple Dep. Claim					+ \$145 =			+ \$290 =	
					Total add'l fee	\$		Total add'l fee	\$

- ☐ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$ _____. A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$ _____ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- ☒ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

G. Peter Nichols
Registration No. 34,401
Attorney for Applicants
Customer No. 00757

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Mail Stop Patent Ext., Alexandria, VA 22313-1450, on March 15, 2004.

Date: March 15, 2004

Signature:

I hereby certify that this correspondence is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Mail Stop Patent Ext, Alexandria VA 22313-1450



March 15, 2004

Date of Deposit

G. Peter Nichols

Name of applicant, assignee or
Registered Representative

Signature

March 15, 2004

Date of Signature

PATENT

Case No. 659/1605 (15,993)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

James H. Wang et al.

Serial No.: 09/595,672

Filed: June 19, 2000

For: METHOD OF MAKING BLENDS OF
POLY(VINYL ALCOHOL) AND
POLY(ETHYLENE OXIDE)

Examiner: Marie L. Reddick

Group Art Unit: 1713

**REQUEST FOR RECONSIDERATION OF THE PATENT
TERM ADJUSTMENT UNDER 37 C.F.R. § 1.705(d)**

Commissioner for Patents
P.O. Box 1450 – Mail Stop Patent Ext.
Alexandria, VA 22313-1450

Dear Sir:

A Notice of Allowance for the subject application was mailed on December 17, 2003, with a patent term adjustment under 35 U.S.C. § 154(b), as of that date, of zero (0) days. Applicants believe that the term should be reconsidered for the reasons explained below.

REMARKS

Applicants request reconsideration of the patent term adjustment under 35 U.S.C. § 154(b). A Notice of Determination of Patent Term Adjustment issued on December 17, 2003 with a term adjustment of zero (0) days (Exhibit A) as of the determination date. Applicants believe that they may be entitled to a patent term having 143 additional days. A check for the 37 C.F.R. § 1.18(e) fee is enclosed. Please charge any additional fee required or credit for any excess fee paid to Deposit Account No. 23-1925. A duplicate copy of this Petition is attached.

The patent term adjustment for the subject application is calculated as shown below. Dates are specified based on the mail date stamped on the Office Action and on the date stamped on the returned post card (copies of which are attached at Tab B). This application is not subject to a terminal disclaimer.

1. Period of Adjustment under 37 C.F.R. §1.703(a)

The period of adjustment under 37 C.F.R. §1.703(a) is the number of days in the period beginning on the day ("the 14 month date") after that date that is fourteen months after the date on which the application was filed under 35 U.S.C. § 111(a) and ending on the date of mailing or either an action under 35 U.S.C. § 132 or a notice of allowance under 35 U.S.C. § 151, whichever comes first. The present application was filed on June 19, 2000. The 14 month date specified in 37 C.F.R. § 1.703(a) is August 19, 2001. The first PTO action in the matter was mailed on October 3, 2001. The difference between

the 14 month date and the date of mailing of the Office action of October 3, 2001 is 45 days.

2. Period of Adjustment under 37 C.F.R. §1.703(b)

The period of adjustment under 37 C.F.R. §1.703(b) is the number of days in the period beginning on the day ("the 3 year date") after the date that is three years after the date on which the application was filed under 35 U.S.C. § 111(a). The present application was filed on June 19, 2000. The 3 year date specified in 37 C.F.R. §1.703(b) is June 19, 2003. The patent is expected to issue 28 weeks after the Notice of Allowance date of December 17, 2003. The difference between the 3 year date and the projected issue date is 181 days.

3. Reduction in Period of Adjustment under 37 C.F.R. §1.704(b)

With respect to the grounds for adjustment set forth in 37 C.F.R. § 1.703(a)-(e), an applicant is deemed to have failed to engage in reasonable efforts to conclude processing or examination of an application for the cumulative total of any periods or time in excess of three months that are taken to reply to any notice or action by the Office. Any such three month period is measured from the date the notice or action was mailed to the applicant. The period of adjustment set forth in 37 C.F.R. § 1.703 shall be reduced by the number of days beginning on the day ("the 3 month date") after the date that is three months after the date of mailing of the Office communication.

a. First Reduction

In the present application, a non-final rejection was mailed on October 3, 2001. The 3 month date to respond to the Office Action this communication was January 3, 2002. A Response to this non-final rejection was mailed, with a certificate of mailing, on February 4, 2002 and the date stamped return post card indicated receipt on February 14, 2002, so the reduction in period of adjustment under 37 C.F.R. §1.704(b) is 42 days.

b. Second Reduction

A non-final rejection was mailed May 21, 2002. The 3-month date to respond to this Office Action was August 21, 2002. A Response to this non-final Office Action was mailed, with a certificate of mailing on August 21, 2002 and the date-stamped return post card indicated receipt on August 27, 2002. The reduction in period of adjustment under 37 C.F.R. § 1.704(b) is 6 days.

c. Third Reduction

A non-final rejection was mailed November 14, 2002. The 3-month date to respond was February 14, 2003. A Response was mailed with a Certificate of Mailing on February 14, 2003, and the date-stamped return post card indicated receipt on February 21, 2003. The reduction in period of adjustment under 37 C.F.R. § 1704(b) is 7 days.

d. Fourth Reduction

A final rejection was mailed on May 28, 2003. The 3 month date to respond to this Office Action was August 28, 2003. A Response to this non-final rejection was

mailed, with a certificate of mailing, on September 23, 2003 and the date-stamped return post card indicated receipt on September 25, 2003. An Advisory Action was mailed October 9, 2003 and a supplemental response was mailed, with a certificate of mailing, on November 19, 2003 and the date-stamped return post card indicated receipt on November 24, 2003. The reduction in period of adjustment under 37 C.F.R. §1.704(b) is 83 days (May 28, 2003 through November 24, 2003).

4. Total patent term adjustment

For the present application, the total patent term adjustment under 37 C.F.R. § 1.703(f) is the period of adjustment under 37 C.F.R. §1.703 reduced by the reduction under 37 C.F.R. §1.704. The total adjustment is thus the sum of 45 days and 181 days, less 128 days = 98 days.

Applicants respectfully request reconsideration of the patent term adjustment for this patent. Office personnel are invited to contact the undersigned attorneys for the Applicant via telephone if such communication would expedite this request. Because the error in computation of the patent term extension appears to have arisen from the USPTO, the Applicants respectfully request that the petition fee be waived.

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200

Respectfully submitted,



G. Peter Nichols
Registration No. 34, 401



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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Alexandria, Virginia 22315-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/595,672	06/19/2000	James Hongxue Wang	11302-0601 (KC 15.993)	3961

29843

7590

12/17/2003

JOHN S. PRATT
KILPATRICK STOCKTON LLP (KIMBERLY CLARK)
1100 PEACHTREE STREET
SUITE 2800
ATLANTA, GA 30309

EXAMINER

REDDICK, MARIE L

ART UNIT

PAPER NUMBER

1713

DATE MAILED: 12/17/2003

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 0 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 0 day(s).

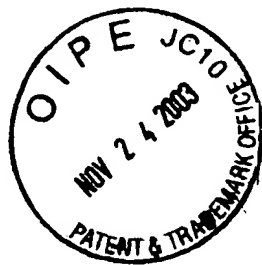
If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) system (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (703) 305-1383. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.

Commissioner for Patents
P.O. Box 1450 – Mail Stop AF
Alexandria, VA 22313-1450

659-1605
(15,993)



09/595,672

Transmitted herewith is a (1) Response; (2) Petition and Fee for Extension of Time (37 C.F.R. 1.136(a)) (in duplicate with \$420 check); (3) Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences (in duplicate) with \$330 check, (4) PTO Transmittal letter (in duplicate; GPN:am
Due: November 28, 2003
Mailed: November 19, 2003
GPN:am

612

Case No. 659-1605
Applicant *WANG et. al.*

Commissioner for Patents
P.O. Box 1450 – Mail Stop AF
Alexandria, VA 22313-1450

Please acknowledge receipt of the below-identified: SEP 25 2003

Transmitted herewith is a (1) Response; (2) Petition and Fee
For Extension of Time (37 C.F.R. 1.136(a)) (in duplicate) with
\$110 check; (3) PTO Transmittal letter (in duplicate);

GPN:am

Due: September 28, 2003

Mailed: September 23, 2003

BRINKS HOFER GILSON & LIONE

A PROFESSIONAL CORPORATION

GPN By *D. Peter Nichols/am/35*





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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/595,672	06/19/2000	James Hongxue Wang	11302-0601 (KC 15,993)	3961

29843 7590 05/28/2003

JOHN S. PRATT
KILPATRICK STOCKTON LLP (KIMBERLY CLARK)
1100 PEACHTREE STREET
SUITE 2800
ATLANTA, GA 30309

EXAMINER

REDDICK, MARIE L

ART UNIT

PAPER NUMBER

1713

DATE MAILED: 05/28/2003

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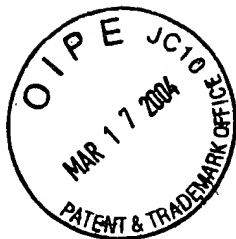
JUN 02 2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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ENTERED COMPUTER ON 6/1/03

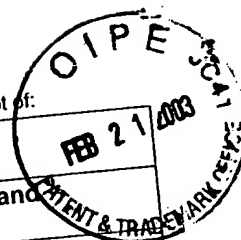
228251

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The "Received" stamp of the Patent Office imprinted hereon will acknowledge receipt of:

Applicant:	Wang et al.		
Title:	Method of Making Blends of Poly(Vinyl Alcohol) and Poly(Ethylene Oxide)		
Application No.:	09/595,672		
Filing Date:	June 19, 2000	Atty. Doc.	11302-0601 (44040-228251)
PAPERS SUBMITTED:		3. Response to Office Action (15 pp.); and 4. Check in the amount of \$492.	
1. Transmittal Form (1 p.); 2. Fee Transmittal (in duplicate) (2 pp.);			
Date:	February 14, 2003		
By:	Theodore M. Green, Reg. No. 41,801.....Customer No. 29843		



ATLLIB02 104869.1



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/595,672	06/19/2000	James Hongxue Wang	11302-0601 (KC 15,993)	3961

29843 7590 11/14/2002

JOHN S. PRATT
KILPATRICK STOCKTON LLP (KIMBERLY CLARK)
1100 PEACHTREE STREET
SUITE 2800
ATLANTA, GA 30309

EXAMINER

REDDICK, MARIE L

ART UNIT	PAPER NUMBER
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DATE MAILED: 11/14/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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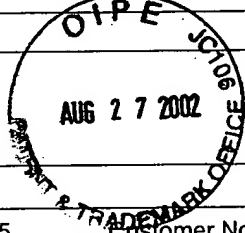
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The "Received" stamp of the Patent Office imprinted hereon will acknowledge receipt of:

Applicant:	Wang et al.		
Title:	Method of Making Blends of Poly(Vinyl Alcohol) and Poly(Ethylene Oxide)		
Application No.:	09/595,672		
Filing Date:	June 19, 2000	Atty. Doc.	11302-0601 (44040-228251)
PAPERS SUBMITTED:			
1. Transmittal Form (1 p.); 2. Response to Office Action (11 pp.);			
Date:	August 21, 2002		
By:	Robert E. Richards, Reg. No. 29,105..... Customer No. 23370		



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United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/595,672	06/19/2000	James Hongxue Wang	11302-0601 (KC 15,993)	3961

29843 7590 05/21/2002

JOHN S. PRATT
KIM PATRICK STOCKTON LLP (KIMBERLY CLARK)
100 PEACHTREE STREET
SUITE 2800
ATLANTA, GA 30309

EXAMINER

REDDICK, MARIE L

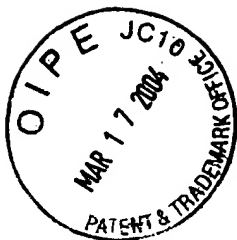
ART UNIT

PAPER NUMBER

1713

DATE MAILED: 05/21/2002

Please find below and/or attached an Office communication concerning this application or proceeding.



The USPTO Office's official mailroom stamp affixed hereto, acknowledges receipt of the items listed below.

Inventor: WANG ET AL.

Serial No. 09/595,672

Filed: June 19, 2000

For: **METHOD OF MAKING BLENDS OF POLY(VINYL ALCOHOL) AND POLY(ETHYLENE OXIDE)**

Papers Submitted: **Response to First Office Action; 1-mth. extension of time**

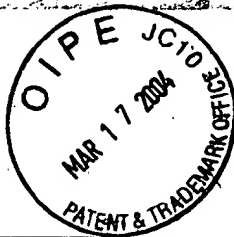
Express Mail No.:

Attorney: **RER/dr**

Date Mailed: **February 4, 2002**

Docket: **11302-0601 (44040-228251)**





**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

R T

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/595,672 06/19/00 WANG

J 11302-0601

023594

IM22/1003

JOHN S. PRATT
KILPATRICK STOCKTON LLP
1100 PEACHTREE
SUITE 2800
ATLANTA GA 30309

EXAMINER

REDDICK, M

ART UNIT

PAPER NUMBER

1713

DATE MAILED:

10/03/01

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